



PAS

PASADENA AUDUBON SOCIETY

Founded April 1904

1750 N. Altadena Drive

Pasadena, CA 91107

WWW.PASADENAAUDUBON.ORG

Ms. Rosa Laveaga
City of Pasadena
Department of Public Works
Parks and Natural Resources Division
P.O. Box 7115
Pasadena, CA 91109
email: rlaveaga@cityofpasadena.net

January 7, 2010

Re: Comments on Hahamongna Annex Plan—SCH# 2009111090

Dear Ms. Laveaga:

PAS-1

Below are comments and questions from the Pasadena Audubon Society regarding the Hahamongna Annex. We are concerned by the plan's impact on wildlife and the habitat, and I have divided the comments and questions accordingly. We appreciate your efforts with this plan, and know that all of us share a deep desire to do what is best for the City of Pasadena, its citizens, and the flora and fauna of Hahamongna.

Impacts on wildlife:

PAS-2

The EIR states that no "federal or state-listed rare, threatened or endangered plant or animal species were observed." This brings up two concerns. The first is that we wonder why "Bird Species of Special Concern," as defined by the California Department of Fish and Game, were not included in the EIR. This protective legal status indicates that these birds are at risk, and therefore should receive special consideration before any development is done. Two Bird Species of Special Concern, the Yellow Warbler (2nd priority) and the Yellow-breasted Chat (3rd priority), not only live in Hahamongna but also breed there. Three other species, Vaux's Swift, Olive-sided Flycatcher, and Black Swift, are regular migrants. Our second concern is that the EIR does not make clear over what period these observations were taken. Depending on the time of year and the number of observations taken, the observer could have missed breeding birds, migrants, winter residents and other birds. The Pasadena Audubon Society has been conducting detailed point counts of the Arroyo Seco, including Hahamongna, for the last two and a half years, and has substantial data covering this period. We would be happy to share this with the City.

PAS-3

PAS-4

Our question is, when will the City conduct comprehensive biological surveys of the Annex prior to the project? Who will conduct these surveys? What special consideration will be given to the two breeding Bird Species of Special Concern?

To bring the excitement of birds to our community through birding, education and the conservation of bird habitats.



PASADENA AUDUBON SOCIETY

Founded April 1904

1750 N. Altadena Drive

Pasadena, CA 91107

WWW.PASADENAAUDUBON.ORG

PAS-5

We are also deeply concerned by the City's plan to allow "special events" in the Annex. What impact will this have on wildlife? What kinds of special events will these be? Our questions here are so varied and many that we cannot list them all here, primarily because the City is very vague in defining these "events".

Oak Grove:

PAS-6

Our Audubon Society has been conducting bird trips in the Oak Grove for many years, and we have noticed increasing degradation of the habitat. This is in large part due to the Frisbee golf course, which seems to have increased, despite the City's pledge to relocate it. Our question is that we would like to know when the City will relocate the Frisbee golf course, and where they will relocate it.

PAS-7

We are also very concerned about the increase in parking adjacent to the area. This added asphalt is very harmful to Hahamongna's ability to absorb water and replenish the aquifer. This is counter to the City's efforts to reduce its reliance on outside sources for water. More pavement will make it more difficult for rainwater to replenish the aquifer, and will turn that rainwater, potential groundwater, into filthy runoff. It will also increase the degradation of the Oak Grove.

PAS-8

Another huge concern is that the City has pledged to restore the oak grove habitat. While in theory, we applaud this, we are concerned that we have seen no efforts to do so, and we are very concerned at some of the City's previous efforts at "habitat restoration." We urge the City to complete this restoration sensitively and appropriately. We urge the City to work with a landscape architect who understands habitat restoration. In the past, we have seen the City, or another government agency, cut down native trees, and then replace them with trees that, while native to California, are not appropriate to that habitat. Planting a few sycamores in a straight line does not constitute habitat restoration.

We also urge the City to work with a biologist when completing this restoration so that the impact of removing non-native trees can be mitigated. Though in theory we applaud replacing non-native trees with native trees, we would again urge the City to remember that this is a habitat, and needs to be restored carefully, with minimal negative impacts of the native fauna. Rather than clear-cutting all non-natives and replacing them with tiny native trees, why not plant some habitat-appropriate trees now, and as they mature, remove the non-native trees? We also remind the City that any tree removal needs to be done when the birds are not using those trees for breeding.

So our questions are, when will the City begin restoring the Oak Grove? What guarantee can the City give us that it will restore the Annex and the Oak Grove as habitats

To bring the excitement of birds to our community through birding, education and the conservation of bird habitats.



PASADENA AUDUBON SOCIETY

Founded April 1904

1750 N. Altadena Drive

Pasadena, CA 91107

WWW.PASADENAAUDUBON.ORG

PAS-8

appropriate to the area? What expertise regarding native habitat restoration does the City bring to this project? How will the City ensure that this restoration is done effectively and appropriately, without simply replacing non-native trees with native trees? What guarantees can we have that the City will not interfere with any breeding birds? Will the City remove the unused asphalt before adding more parking space? Will it use permeable surfacing for the new parking area? What procedures will the City use to mitigate the new parking area from turning rainwater into runoff? How will the City protect our rainfall and groundwater? And again, when will the Frisbee golf course be relocated, and where will it go?

PAS-9

All of Hahamongna, including the Annex, is a treasure that must be restored and then preserved for all of Pasadena and our neighbors to enjoy. Of course, this includes the flora and fauna. The Pasadena Audubon Society stands ready to offer our information and expertise to assist the City in any way that we can. We thank you for your attention to these matters, and look forward to your response.

Sincerely,

Laura S. Garrett
Conservation Chair
Pasadena Audubon Society
email: purplecow@jps.net

To bring the excitement of birds to our community through birding, education and the conservation of bird habitats.

LCTC



La Cañada Flintridge Trails Council

January 5, 2009

Ms. Rosa Laveaga
Pasadena Public Works - Parks & Natural Resources Division
P.O. Box 7115
Pasadena, CA 91105-7215

Dear Ms. Laveaga:

Thank you for the opportunity to comment upon the Hahamongna Watershed Park Master Plan Addendum (Annex Plan) and the Initial Study.

**LCTC
1**

After reading the documents, we are especially appreciative of the City's commitment to support and continue the long equestrian history of the Annex and of the Arroyo in general. Rose Bowl Riders and Tom Sawyer Camps have been beloved recreational assets of the Arroyo for decades and it is good to know they will continue on in their good work. We are also appreciative that the Annex Plan includes a new area for the MACH 1 Therapeutic Riding Program which will allow them to serve even more children.

**LCTC
2**

We look forward to more specific planning for the Environmental Education Center and would urge the City to include a trail hub component within the Center. Hahamongna is at the heart of an amazing urban trail network that extends from Glendale through La Canada Flintridge to the Arroyo in Pasadena and onward to Altadena and the Angeles National Forest to the north and to Los Angeles to the south. The Annex EEC will be an ideal location to introduce the community to this wonderful recreational asset we are so fortunate to have in our backyard. We look forward to working with the City to make this happen.

**LCTC
3**

We support the new trail south of the Annex shown on Plan Exhibit 3-3 and the Subtrail Option 1 proposed by Friends of Hahamongna. These provide a new and more direct entry onto the Annex for pedestrians and equestrians.

**LCTC
4**

The plans for the existing trail between Rose Bowl Riders and County Fire/JPL raise many questions, however. What is first striking about the planning which was done for the Annex is that the community was never presented with alternatives which would have had the least environmental impact. When the first alternatives were presented to the Hahamongna Advisory Committee, the choices were between two 50 foot wide roads and a 50 foot wide trail/bikeway corridor!

The alternatives have become less grandiose over the four iterations of the Plan but there are several alternatives which have never been included, the most obvious of which would be the "no change" alternative – leave the existing trail alone. The second alternative might be to upgrade the current trail with a surface such as granular stone suitable for multi-use but not to widen it. Granular stone is classified as a "hard surface" and would meet the requirement of the Pasadena Municipal Code that

**LCTC
4**

bikes not be allowed on soft surface trails. The Design Commission approved the use of granular stone for the bikeway. These alternatives also have the advantage of being very inexpensive.

**LCTC
5**

Next in terms of impact would be a 10 foot wide paved bikeway with an immediately adjacent 5 foot soft surface path. This is the arrangement of all the other segments of the bikeway in Hahamongna with no meandering and no barriers or buffers between bicyclists, pedestrians and equestrians (see attached photo of trail users in Hahamongna near the Flint Wash Bridge). These four other bikeway/trail segments are the approaches to the Flint Wash Bridge, the bikeway/trail segment north of the Annex which will extend north and then east, the North Bridge approaches and the bikeway/trail planned to extend to the Equestrian picnic area. On the Annex, this arrangement would impact some trees, most of which the plan is now proposing to remove. This bikeway/trail alignment would also have been less impactful because it would allow the barn now used by MACH 1 to remain in its current location, saving the City the cost of relocating it.


**LCTC
6**

As an organization committed to trail improvement, we were very concerned to read that the city's intention is no longer to align the trails in a manner that preserves as many existing trees as reasonably possible. Even the bikeway/trail proposal included in the Initial Study which is up to 40 feet wide would have only impacted 19 trees. The Plan now calls for the removal of 70 non-native trees on the Annex, including 33 in the corridor. The trees along the trail, although non-native, provide shade and beauty and contribute greatly to a positive trail experience. Many of our trails are so hot and sun-baked that trails such as that on the Annex are especially prized.

**LCTC
7**

Hahamongna and the Annex are open space treasures which will be our legacy for generations to come. Now seems the appropriate time to do an environmental impact report rather than the far more limited Initial Study which has been done thus far. The decisions made at this juncture will be far-reaching and long-lasting.

Sincerely,



Debbie Tinkham
President
La Canada Flintridge Trails Council

Shared use trail at the south end of Hahamongna Watershed Park



SCH



STATE OF CALIFORNIA
 GOVERNOR'S OFFICE of PLANNING AND RESEARCH
 STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
 GOVERNOR

CYNTHIA BRYANT
 DIRECTOR

January 12, 2010

Rosa Lavcaga
 City of Pasadena, Parks & Natural Resources Division
 233 W. Mountain Street
 Pasadena, CA 91103

Subject: Hahamongna Watershed Park Master Plan Addendum for the Hahamongna Annex
 SCH#: 2009111090

Dear Rosa Laveaga:

The State Clearinghouse submitted the above named Other Document to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 7, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only state substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
 Acting Director, State Clearinghouse

Enclosures

cc: Resources Agency

SCH

1

STATE CLEARINGHOUSE
Document Details Report
State Clearinghouse Data Base

SCH# 2009111090
Project Title Hahamongna Watershed Park Master Plan Addendum for the Hahamongna Annex
Lead Agency Pasadena, City of

Type Oth Other Document
Description NOTE: Reference SCH#2000091062

The proposal consists of amending the Hahamongna Watershed Park Master Plan (HWP Master Plan of HMP) to incorporate the proposed HMP Addendum, which would establish a vision for the Hahamongna Annex site. If approved, the HMP Addendum would become a component of the HWP Master Plan.

The HMP Addendum designates the Hahamongna Annex site for 8 main uses: (1) an environmental education center with enforcement facility, (2) a public equestrian facility, (3) natural open space, (4) park offices, maintenance facilities, and infrastructure, (5) passive recreational facilities and (6) the Los Angeles County Fire Camp 2 (to remain as existing)

Lead Agency Contact

Name Rosa Laveaga
Agency City of Pasadena, Parks & Natural Resources Division
Phone 626-744-3883 **Fax**
email
Address 233 W. Mountain Street
City Pasadena **State** CA **Zip** 91103

Project Location

County Los Angeles
City Pasadena
Region
Lat / Long 34° 11' 47" N / 118° 10' 28" W
Cross Streets Located at 4600 Oak Grove Dr, north of Foothill Blvd and south of Forest Camp (Surveyor Rd)
Parcel No. 5097-007-011
Township 1N **Range** 12W **Section** Unsect **Base** SBB&M

Proximity to:

Highways 210, 2
Airports
Railways No
Waterways Arroyo Seco Channel, unnamed tributaries to the Arroyo Seco, Devil's Gate Dam
Schools La Canada HS, Odyssey Charter, Nia Educational Charter
Land Use PLU: Vacant U.S. Forest Service Oak Grove Station, Existing equestrian uses/facilities
GP: Hahamongna Watershed Park, including Annex site, is designated open space
Z: Hahamongna Watershed Park, including Annex site, is almost exclusively zoned Open Space

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Noise; Public Services; Solid Waste; Toxic/Hazardous; Water Quality

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 11/24/2009 **Start of Review** 11/24/2009 **End of Review** 01/07/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

SCH
1

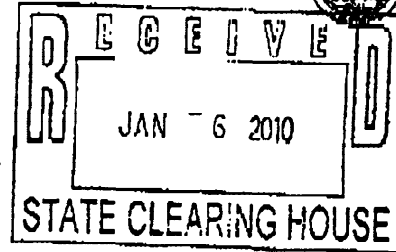
NAHC

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-8251
Fax (916) 657-6990
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



Clear
1-7-10
e

January 4, 2010

Ms. Rosa Laveaga
CITY OF PASADENA
PARKS & NATURAL RESOURCES DIVISION
233 W. Mountain Street
Pasadena, CA 91103

Re: SCH#2009111090 CEQA Notice of Completion: Initial Study per MEIR for the Hahamongna Watershed Park Master Plan Addendum for the Hahamongna Annex located in the City of Pasadena, Los Angeles County, California

Dear Ms. Laveaga:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources. (Also see Environmental Protection Information Center v. Johnson (1985) 170 Cal App. 3rd 604) The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources were not identified within one-half mile of the APE. However, there are Native American cultural resources in close proximity to the APE.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource. Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental planning processes. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11..

Consultation with tribes and interested Native American tribes and individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f] et seq), 36 CFR Part 800.3, the President's Council on Environmental Quality (CSQ; 42 U.S.C. 4371 et seq) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. .

NAHC
1

NAHC
1

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §8254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected the under Section 304 of the NHPA or at the Secretary of the Interior' discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C, 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

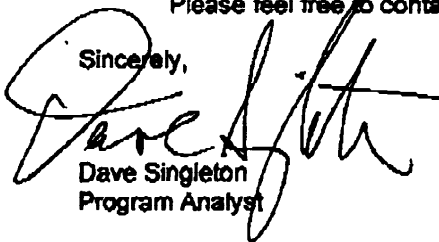
CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 853-8251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

DCL

MS ROSA LAVEAGA
re: Hahamongna Watershed Park and Annex.
December 27, 2009

FISCAL RESPONSIBILITY

DCL
1

I have been working in the financial community for over 30 years, the last 15 in Pasadena. I am a Past President of Kiwanis, and am currently on the Board of Directors of a local Rotary Club. In this current economic environment, with little chance of improvement for the foreseeable future, it is foolish, if not a violation of the public trust to waste money.

DCL
2

The hard surface bike-path around the Arroyo Seco Hahamongna Wilderness Park is not only unnecessary, but unwanted by most of the public. At all the community hearings, planning sessions, and presentations, one thing is very clear. The general public, environmentalists, equestrian community, bird watchers, and hikers all want the Hahamongna to remain an ecological wilderness and not a race track like the area around the Rose Bowl.

Simply, the project costs far outweigh the benefits.

There is no need to spend the money necessary to create a bikeway to nowhere. We currently have mountain bikes on the existing trails, as well as street bikes. Yes, it is not a velodrome, but then it is Hahamongna Watershed Park.

DCL
2

It appears that the some of the city planners are hoping for grant money to build the bike path. Grant money is difficult if not impossible to obtain, especially since the proposed bikeway will prohibit pedestrian use. It is very likely that the majority of the cost of the bikeway and the reconfiguration of the equestrian center will have to come from Pasadena's budget. It seems apparent to all but the bike path proponents that re-locating horses at Rose Bowl Riders, Mach 1 and Tom Sawyer along with electrical power, water lines and establishing new footings for the stalls is an unnecessary expense. From what I have heard at the public meetings, the environmentalist's legal council believes that a roadway around the Hahamongna violates both CEQA and the Spirit of the Sage Council settlement.

Devils Gate is a historic recreation area. Nature lovers, both on foot, astride horses and on mountain bikes greatly enjoy the area, as well as Disc golfers and school children. A hard surface bike path would greatly interfere with the current historic use. A street biker can easily travel 18-20 mph on a flat surface, with sprints to 40 mph. Bicycles traveling at that speed would create an extremely hazardous environment.

DCL
3

Why hasn't the City of Pasadena addressed "prototype traffic calming measures" around the Rose Bowl, rather than pushing the problem north of Devils Gate Dam?

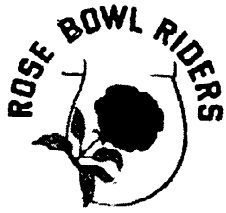
**DCL
4**

At a time when the City is reducing and deferring spending on schools, public infrastructure and existing community programs, it is fiscal malfeasance to spend it on a unnecessary new bike path.

The good news is that keeping the Hahamongna alive and well in its current and historical status is free.

Thank you.

**Douglas and Carolynn Larner
1645 Oakhaven Drive
Arcadia, CA 91006**



RBR

Rose Bowl Riders, Inc.

Mailing Address: P.O. Box 533, Pasadena, CA 91102

Board of Directors

President

Dale Thomas
Thomas Companies,
Inc.

1st Vice President

Wendy Osmundson

2nd Vice President

Robin Reardon
Insurance Broker

Treasurer

Bonnie Hedrick
First Church of Christ,
Scientist, Pasadena

RBR

Corresponding Secretary

Melinda Blackway
Clairbourn School

1

Recording Secretary

Heidy Kelman

Events Manager

Nancy Rose
Rosewood Ins.

Arena/ Tractor

John Hedrick
General Contractor

Barn Manager

Ariel Wisch
Ascertain, LLC

RBR

2

Youth Activities

Katherine Ginzton
Trainer

Grounds Manager

Jeff Powell
IBEW Electrician

January 6, 2010

Ms. Rosa Laveaga:
City of Pasadena Department of Public Works
Parks and Natural Resources Division
P.O. Box 7115
Pasadena, CA 91109-7215

Dear Ms. Laveaga,

Rose Bowl Riders is excited to continue as part of the new Pasadena Equestrian Center. Pasadena's commitment to diverse recreation, including equestrian activities, and the City's desire to retain the current tenants is a wonderful beginning to this new era in the Hahamongna Watershed Park.

Rose Bowl Riders has operated the present facility for well over 50 years. We are proud of the facility and our accomplishments as good stewards. We look forward to many of the Annex improvements outlined in the Master Plan Addendum.

We have reviewed the Initial Study and Addendum (both dated 11/20/09) and have several questions and concerns.

1) Public Access/Gates/Fencing

The Master Plan Addendum recommends moving the entrance gate of the Equestrian Center and providing "barrier free access" to the parking area in front of the clubhouse. Is the Center to be open at all times or only during public hours? The maps do not show where the gate will be or how the Center will be secured. The Initial Study states in two places that securing the Equestrian Center for the protection of the public and the animals is a necessity. (IS 2-20 & 2-24) However, the MPA pg 3-19 recommends eliminating or relocating "impediments, such as locked gates at the primary entrance to the public equestrian area..." Concerns that emergency vehicles be able to enter the facility after public hours can be resolved with a Universal Lock Box and Master Key such as recommended by the Fire Department and used elsewhere in the City.

We do not believe it is in the City's best interest to leave the Equestrian Center unsecured during non-public hours.

RBR
3

2) Internal All-Weather Route and Loop Trail – horse boarding and youth camp areas

The maps of the Annex (Proposed Uses Concept Plan & IS exhibit 2.5) show a proposed Internal All-Weather Route that loops through the boarding area. The maps do not show the present circular route visitors use to navigate around the upper area/main arena. The horse boarding area is to “have secured access due to liability concerns.” (MPA 3-11) We would like to be assured that the horse boarding area is not included in the public access of the Center.

RBR
4

Map 3-3 of the Master Plan Addendum shows an Internal Loop Trail adjacent to the realigned Internal All-Weather Route through the horse boarding and youth camp areas. This is also the area where natural drainage occurs. What will the combined widths of these features be? The trail will be 4’-8’ wide, but there is no dimension given for the width of the All-Weather Route. The Route is shown as two-directional on the Proposed Uses Concept Plan. This roadway/trail could easily grow to be 20’-30’ wide with the inclusion of the drainage. Is this realignment the only way to address the drainage issues?

RBR
5

The Internal Loop Trail traverses behind horse stalls, in front of the jumping arena, and through the youth camp. We have already been alerted that the Internal All-Weather Route will require moving 96’ of covered horse stalls, footing, water and electrical. Is there an expectation of moving more stalls and/or arena fencing to provide the needed width for the trail?

RBR
6

3) 70 Horses

The Initial Study and Master Plan Addendum appear to be in conflict regarding the stabling of up to 70 horses in the boarding area.

Initial Study pg 2-21, footnote #1 states, “The increase from 36 corrals to up to 70 corrals is not a firm recommendation of the Master Plan Addendum, but is rather an allowance for the tenant if such capacity is desired...” Yet the MPA states, pg 3-10, “The horse boarding area will provide boarding facilities for up to 70 horses...” and again on pg 3-22, “The operators of the leased boarding area will be encouraged to make the facility more efficient, allowing for boarding corrals for up to 70 horses.”

Boarding twice the number of horses would require significant space not allotted in the plan: twice the hay/feed storage; twice the tack/equipment storage; twice the manure disposal; parking for twice the number of boarders; and a need for more than 8 trailers for emergency evacuation.

Additional boarding space would be wonderful, but not without the added space to support the care of the animals. We request that the language in the Master Plan Addendum be worded as it is in the Initial Study, that the increase in the number of horses boarded be “an allowance for the tenant if such capacity is desired.”

RBR
7

4) Manure Collection and Disposal

A centrally located, communal horse waste area is recommended by the City, but not sited on any of the maps. Given the topography and distance between the three equestrian areas there will be twice-daily hauling over longer distances to access a central area. Rose Bowl Riders and Tom Sawyer Camps each currently contract with a firm that recycles the manure off-site. The containers are conveniently located and out of public view. (The one "failing" container noted in the Initial Study, pg 2-25, was immediately replaced.)

Collecting manure in one place for more than 100 animals at the height of summer camp in July and August will create a significant fly problem. Using separate containers all these years has minimized the flies. We would like to continue separate collection and disposal arrangements until all the issues related to a central area can be considered.

RBR
8

5) Bikeway and Trail on north perimeter of Annex

At the last Hahamongna Watershed Park Advisory Committee meeting it was not made clear that the proposed bikeway still included an adjacent pedestrian/equestrian trail. However, it is shown on the mobility map, MPA Exhibit 3-4, and discussed extensively in section 4.0 of the Initial Study – Focused Analysis of Bikeways and Trails.

RBR
9

Initial Study, Exhibit 4.1, shows that the bikeway and trail will not encroach on the oval arena or the jumping arena located in the boarding area. The analysis also states that the 6-stall barn in the path of the bikeway and trail will be relocated in the equestrian area. We are grateful for all these efforts to minimize the impact of widening the existing trail.

RBR
10

How wide will these trails actually be? The 10' width for the bikeway is consistently stated, but the width for the trail is not. Initial Study pg 2-25 states the trail will be 6' wide maximum. Initial Study pg 4-1 and MPA pg 3-19 state that the trail may be 8' wide maximum. Do these widths include the separation "fence" between the two trails? Will the resulting meandering bikeway/trail actually be 20'-30' or more wide? The documents refer to the pedestrian/equestrian trail adjacent to the bikeway as a "potential" or "considered" trail. Is the plan to go forward with a trail or not? Such a width in that location has been objected to by a diverse group of people at every community meeting.

RBR
11

6) Trailer and Boarder Parking

No dimensions are given for the proposed 28-space parking area for boarder vehicles and horse trailers. The area delineated on MPA 3-3 does not appear to allow sufficient room to navigate large trailers in and out of the parking area. We would like to work with the City to ensure that the space is adequate for the proposed use.

RBR
12

7) Useable Space in the Horse Boarding Area

The horse boarding area comprises a 2-acre area that is long and narrow. The recommendations outlined in the Master Plan Addendum will reduce the useable space within that narrow area considerably:

- Northern bikeway/trail – possible incursion from 20' trail width
- Eastern perimeter 20'-30' roadway/trail will require moving stalls
- Southern boundary moved northward to accommodate Youth Camp will require moving stalls
- 4'-8' Internal Loop Trail may require moving stalls and arena fencing

**RBR
12**

The stalls will move inward from their present locations along the edges of the boarding area. We are concerned that maneuverability in and around the stalls for veterinarians, farriers, and boarders will be cramped and limited.

Initial Study pg 1-2 states that “the existing uses of the subject property would either remain the same or would lessen in intensity....” This seems in opposition to the recommendation in the Master Plan Addendum to double the number of horses in a space that will be physically reduced.

**RBR
13**

8) Corrections to Initial Study

Table 2.3 on pg 2-2 of the Initial Study, “Equestrian Facility Components,” lists the Jumping Arena and Upper Barn #15 as part of the public area of the Equestrian Center when in fact they are both located on the north end of the horse boarding area and should be listed on pg 2-21 under “Equestrian Boarding Area”.

In addition, there are 8 guest horse stalls located in the public equestrian area that are used to stable horses during horse shows or overnight for clinics.

**RBR
14**

The desire of the Rose Bowl Rider Executive Board and Membership is to continue providing quality opportunities for the residents of Pasadena to enjoy horses. Yes, we do have concerns about some of the details of the plan. It is our hope that we will be allowed to work with the City to address these concerns so the resulting Equestrian Center will be another jewel in Pasadena’s crown. Lessons, programs for children, shows, clinics, group rides, and individual time with the horses we love will only grow with the opening of the Pasadena Equestrian Center. Thank you for the vision evidenced in the improvements planned for the Clubhouse and public area. The City staff we have worked with to this point in the process have been extremely professional and desirous of the best outcome for the facility. We look forward to an active role in the new Pasadena Equestrian Center.

Sincerely,
ROSE BOWL RIDERS



Dale Thomas
President

cc: Mayor Bill Bogaard
Council Member Chris Holden

HW

Hugh Bowles
Hahamongna Watch
1030 Shelly Street
Altadena, CA 91001

Ms. Rosa Laveaga
City of Pasadena Department of Public Works
Parks and Natural Resources Division
P.O. Box 7115 Pasadena, CA 91109-7215
e-mail:

01/03/2010

Re. Comments on Hahamongna Annexe Plan -- SCH# 2009111090
Lead Agent - City of Pasadena

HW
1

Dear Rosa:

Below are comments on the Hahamongna Annexe Plan. Please provide appropriate responses to questions. I have laid questions out by the associated Annexe Plan or initial Study section. Please answer each question by section and number.

A. BIKEWAY

HW
2

4.1 CHARACTERISTICS OF THE BIKEWAY AND TRAIL ALONG THE NORTHERN PROPERTY BOUNDARY

The Plan states: "As part of the proposed HMP Addendum, the City is considering a bikeway and (potentially) an adjacent but separate equestrian/pedestrian trail."

Question 1 : When will the City decide on whether "potential" is actual. What review process and notification will the City adopt once a decision is made on additional trails not discussed in the Annexe Plan?

The Plan States: "The potential bikeway and trail components of the project have garnered substantial public interest."

In the "response to comments matrix" provided by the City during the master planning process for the ASMP, there is no comment supporting a paved or any bike route in the Arroyo.

HW
3

Question 2: What explicit comments has the City received as part of the planning process that state an express need for a paved bikeway? Most of the cycle users in Hahamongna are off road cyclists. What particular purpose does a paved bikeway serve? Please provide evidence of the "public interest" for a paved bikeway in the Annexe and the Hahamongna basin.

HW
4

Question 3: Will the paved bikeway be installed as part of the installation of the perimeter bikeway in the HWP Plan, or as an independent project?

The Plan states: "The recreational bikeway will complete the bicycle loop around the

perimeter of HWP park and as recommended in the adopted HWP master plan."

HW
4

If the paved bikeway is installed at the Annexe while the remaining trails in Hahamongna are left unpaved, the bikeway will encourage cyclists to commit a "Prohibited Act" under Pasadena Municipal Code Title 3 Chapter 3.24.110 Parks and Public Grounds Prohibited Acts No. 15. This section prohibits cycling on unpaved surfaces.

The Final ASMP MEIR Vol III) and the Initial Study (p.4-2) states "Bicycles will NOT be allowed on any designated trail or unpaved surfaces within the park nor on the existing JPL bridge crossing".

Question 4: If the City installs a paved bikeway in the Annexe separate from the proposed perimeter bikeway under the HWP Plan, how will the City prevent the expansion of "prohibited" cycling in Hahamongna Watershed Park?

B. PARK MANAGEMENT

HW
5

Question 1. What types of "special event" does the City plan to allow in the Annexe?

Question 2. Will these "special events" be seen as sources of revenue?

Question 3. What are the anticipated ongoing revenue requirements to sustain the proposals in the plan once the plan is implemented?

Question 4. How does the City intend to achieve those revenues, and how will it achieve those revenues without inducing further growth?

Question 5. What specific community groups does the City anticipate partnering with to assist with running and maintaining the Annexe? If any groups have expressed an interest in partnering with the City already, be specific as to which groups.

Question 6. Does the City anticipate partnering with commercial entities to stage events at the Annexe? This would be similar to the City partnering with VW and Trek in 1996.

C. NEXT STEPS

The plan states under next steps:

"Aggressively pursue funding opportunities for the implementation of the Annex projects."

HW
6

Question 1: What specific types of funding is the City looking to obtain, and for what aspects of the project?

Question 2: What is the overall estimated cost of the Annexe Plan implementation?

Question 3: How might the type of funding available influence the plan if the funding opportunity does not match the proposal? If this occurs what steps will the City take to address this, and how will any changes be communicated to the public?

D. BIOLOGICAL RESOURCES (Initial Study)

HW
7

The initial study states: "The Arroyo Seco Master EIR evaluated biological resources for the Hahamongna Watershed Park environs and determined that no substantial adverse effects could occur to federal or state-listed rare, threatened or endangered plant or animal species,

because none were observed in the project study area (Arroyo Seco Master EIR, pp. 3.3-6 -- 3.3-37)."

The Hahamongna Annexe is a nursery site for Cooper's Hawks, and they are frequently seen in the vicinity. The Cooper's Hawk is on the CDFG "Special Animals" list. At the time the ASMP MEIR was completed, Cooper's Hawks successfully raised young near the Rose Bowl Riders area.

SPECIAL ANIMALS (883 taxa) (from CDFG website)

"Special Animals" is a general term that refers to all of the taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of "species at risk" or "special status species". The Department of Fish and Game considers the taxa on this list to be those of greatest conservation need.

The species on this list generally fall into one or more of the following categories:

Officially listed or proposed for listing under the State and/or Federal Endangered Species Acts.

State or Federal candidate for possible listing.

Taxa which meet the criteria for listing, even if not currently included on any list, as described in Section 15380 of the California Environmental Quality Act Guidelines.

(More information on CEQA is available at

http://ceres.ca.gov/topic/env_law/ceqa/guidelines/

Taxa considered by the Department to be a Species of Special Concern (SSC)

Taxa that are biologically rare, very restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring.

Populations in California that may be on the periphery of a taxon's range, but are threatened with extirpation in California.

Taxa closely associated with a habitat that is declining in California at an alarming rate (e.g., wetlands, riparian, old growth forests, desert aquatic systems, native grasslands, vernal pools, etc.)

Taxa designated as a special status, sensitive, or declining species by other state or federal agencies, or non-governmental organization (NGO). "

As the City has not completed any mitigation or restoration proposed for the Oak Grove area under the ASMP MEIR, over six years, the area has become less beneficial to wildlife.

Question 1. What biological surveys does the City plan of the Annexe area prior to implementation of the project? When will these occur?

The entire Hahamongna basin is important for wildlife, the City has a responsibility to actively consult with jurisdictional agencies on impacts. There is no citation of any consultation with jurisdictional agencies in preparation of the Annexe Plan. The CDFG regulations on "no effect" determinations state:

"A project that causes any disturbance to the habitat on which fish and wildlife may depend, or causes direct harm to fish and wildlife is considered to have an effect on fish and wildlife."

In addition to the presence of Cooper's Hawk's in the area, the December 16 Audubon Society Christmas Bird Count yielded counts in the Annexe area of:

Red shouldered hawk.

HW
7

Downey woodpecker.
Oak titmouse.
Bewick's wren.
Junco.
Goldfinch.
HW
7 Acorn woodpecker -- 4 on one palm tree, which if declared non-native will be removed.
Nutall's woodpecker -- 3 on a maple, also non-native and maybe removed.
Hermit thrush.

The planned removal of trees, the development of parking, and the introduction of "special events" in this area will impact wildlife.

HW
8 **Question 2:** What responsibility does the City feel it has to declare an impact to wildlife that may "depend" on the existing habitat within the Annexe area? What assessment of these impacts will occur, and when?

HW
9 **Question 3:** What restoration plan does the City have in regard to the removal of non-native trees as proposed? What mitigation will there be for impacts to wildlife that use those trees? When will that mitigation occur?

E. CUMULATIVE IMPACTS (Initial Study)

The City declares that there is no cumulative impact risk from the project. However, the project introduces further development, particularly in the form of expanded parking, and increased traffic on top of already significant development plans under the HWP Plan. The Annexe Plan leverages the existing HWP Plan impact analysis without considering additional impacts the Annexe plan introduces.

HW
10 The HWP describes the basin -- and this would include the Annexe -- as a huge "sponge". The basin supplies around 40% of the City of Pasadena's water supply. City sponsored studies by Converse Consultants West (1995), and Philip Williams (2000) emphasize the importance of the alluvial nature of the geology of the basin in regard to replenishing the aquifer. Both studies point to the efficiency of the natural soils and the stream in conducting water into the aquifer -- spreading basins act as a reliable measuring tool for diverted water, but not necessarily as good mechanisms for replenishing the City's water supply. Any plan to further develop the basin should be looked at in relation to the impact those developments will have on the ability of the natural soils to conduct water into the aquifer. There is no commitment to use non-permeable surfaces for parking -- "wherever possible" implies that the installation of an asphalt parking lot will surpass any need to maintain a permeable surface for aquifer replenishment.

In 2003, Councilmember Joyce Streater used the protection of the City's water supply as reason to remove proposed development projects from the east side of Hahamongna -- she was particularly concerned about introducing more traffic into an area responsible for supplying the City with water. As the HWP and the City's own studies acknowledge, the whole basin is critical for the City's water supply -- not just the areas with spreading basins.

The recent reduction in pumping allocation should alert the City that the priority in Hahamongna is to facilitate the basin's ability to conduct water into the aquifer. Increasing impermeable surfaces with no mitigation impacts the basin's ability to perform this critical function.

There is a large section of unused asphalt just to the east of the Annexe site. The HWP Plan proposes removing this asphalt. This has not happened. Removing this asphalt would expose the natural and permeable surface below the asphalt. This asphalt should be removed before any new asphalt is poured on the Annexe site or anywhere else in the basin. As has occurred

just to the north of this site, the coastal sage scrub will begin to restore itself if the natural soils are exposed and over time will improve permeability of the soils and benefit wildlife.

On both the east and west side of the basin the City is "aggressively pursuing" grants to fund the development aspects of the HWP Plan -- this includes expanding parking, developing trails, building the infrastructure to increase traffic in an environmentally sensitive area, critical for a city's water supply. In the six years since the HWP Plan was approved, there has been no equivalent "aggressive" pursuit of the restoration elements of the Plan. Not one restoration project has been implemented by the City since the Plan was approved in 2003. Four sycamores were planted after community complaint over the felling of alder and cottonwood trees by Johnson Field. One of those trees remains now.

HW
10

The HWP Plan cites the frisbee golf course as damaging to the Oak Grove woodland habitat. The HWP Plan proposes moving the frisbee golf course and restoring the oak woodland in the area. Nothing has occurred in regard to this proposal -- in fact the frisbee golf course appears to have expanded. Yet the City now proposes to do further development involving the removal of mature habitat adjacent to an already denuded area. There is no consideration of the cumulative impact of this on wildlife.

Question 1: The HWP Plan acknowledges the damaging impact of the frisbee golf course on the oak woodland to the south of the Annexe. The City stated it would remove the asphalt to the east of the project site and restore the area to native habitat. With no steps taken in 6 years to achieve either of these, and now plans to remove trees, expand parking, and further develop the area, please explain how there will be no cumulative impact?

Question 2: What is the status of the frisbee golf course re-location? What commitment does the City have to move the frisbee golf course and restore the oak woodland prior to embarking on the Annexe project?

HW
11

Question 3: What mitigation will occur if the City does not plan to re-locate the frisbee golf course prior to implementation of the Annexe Plan?

HW
12

Question 4: The Station Fire occurred after the Annexe Plan was drafted. When will a professional biologist assess the impacts of mature tree removal at the Annexe site?

In conclusion, the City:

1. Needs to adopt a more expansive environmental review under CEQA. There should be an EIR under which a range of lower impact and less costly alternatives are considered. The City has an obligation to consider alternatives under CEQA, and especially at the Annexe, as the plan involves development that will require an ongoing operating budget, and there is no discussion as to how that budget will be met.
2. Needs to consider the cumulative impacts of introducing further development on top of what is already planned for the area under the HWP Plan, and in light of the City's failure to complete any restoration on the west side of the Park in the six years since the HWP Plan was approved.
3. Needs to consult with jurisdictional agencies in regard to impact to existing wildlife that depends on the Annexe habitat and may not survive the development with the adjacent area providing denuded habitat.
4. Needs to commit to not installing any paved bikeway in the Annexe until plans for the proposed perimeter bikeway is put through full environmental review -- in effect this portion of the Annexe Plan should only be implemented as part of the overall plan for bicycles in Hahamongna, not as a separate and segmented project.

HW
13

**HW
13**

5. Should not implement any Annexe Plan projects until the Firsbee Golf course situation is resolved and full resotration of the oak woodland adjacent to the Annexe has taken place.
6. Should not implement any Annexe Plan projects until the asphalt to the east of the project site has been removed.

Sincerely yours,



Hugh Bowles
Hahamongna Watch

cc: Parks & Natural Res. Commission
Pasadena City Council
Pasadena Audubon Society
National Audubon Society
California Department of Fish and Game
Spirit of the Sage Council
Friends of Hahamongna
Windsor Arroyo Neighborhood Association
West Pasadena Neighborhood Association

CRAIG A. SHERMAN

ATTORNEY AT LAW

1901 FIRST AVENUE, SUITE 335
SAN DIEGO, CA 92101-2380

TELEPHONE
(619) 702-7892

FACSIMILE
(619) 702-9291

January 24, 2010

Via Facsimile
(626) 744-3727 and (626) 744-3921
Followed By U.S. Mail

Hon. Mayor and Members of the City Council
CITY OF PASADENA
100 N. Garfield Avenue, Room S228
P.O. Box 7115
Pasadena, CA 91109-7215

Re: *Amendment of the Hahamongna Watershed Park Master Plan*
(Annex and Other Features); and Potential Breaches of the
Settlement Agreement dated February 9, 2004 (Case No. BS 083201)
Agenda Item - Pasadena City Council - February 1, 2010, 7:30 p.m.

Dear Mayor and Members of the City Council:

These comments are provided on behalf of the not-for profit and environmental conservation organization Spirit of the Sage Council and other interested community groups and/or persons (collectively, "Sage Council") who live in, around the City of Pasadena and utilize or otherwise be beneficially interested in the Arroyo Seco and Hahamongna areas. Sage Council provides this comment letter in response to City of Pasadena's (City) consideration and possible approval of Initial Study and Master Plan Addendum for the Hahamongna Watershed Park and Hahamongna Annex (the "Project").

With respect to the environmental review and disclosure documents for the above Project and below referenced other Hahamongna projects, these comments are provided as an essential and integral part of the California Environmental Quality Act, Cal. Public Resources Code §§ 21000 et seq. ("CEQA"). (CEQA Guideline § 15201; Sutter Sensible Planning, Inc. v. Board of Supervisors, (1981) 122 Cal. App. 3d 813, 820.) The purposes of these comments are specifically and generally intended to (1) share knowledgeable local expertise, (2) check the accuracy and detect omissions of agency and project proponent analysis, (3) disclose public concerns, (4) disclose legal deficiencies and misapplication of local, state and federal laws, and (5) to solicit and recommend necessary alternatives and counterproposals. (CEQA Guidelines § 15200; Selmi, *The Judicial Development of the California Environmental Quality Act*, 18 U.C. Davis L. Rev. 197, 245 (1984); Towards Responsibility in Planning v. City Council, (1988) 200 Cal. App. 3d 671, 682.)

Page Two

January 24, 2010

CITY OF PASADENA

Prior Settlement and Hahamongna Watershed Park Amendments

With respect to the Settlement Agreement dated February 9, 2004 (Settlement), this correspondence and comment is provided for specific purposes of (1) clarifying my client's belief and understanding of the respective promises and obligations under the Settlement, and in response to the November 19, 2009 letter from the city attorney in such regards, and (2) alleging specific conflicts and potential breaches of the Settlement which need immediate attention and which dictate denial or continuance of approving the instant pending Hahamongna Project, amendments, and action until the enclosed disputes and differences can be resolved.

Settlement Agreement

While there is substantial agreement that my client's main concern under the Settlement was to ensure habitat conservation and proper habitat restoration, there appears a great misperception and disagreement about how conservation and specifics in the Settlement were to be implemented. Without getting into specifics (at this time) with any given recent or pending project, a short list of differences and apparent Settlement violations appears to involve and be (1) potential direct, adjacency, and cumulative effects from introducing additional equestrian facilities, activities, and trail use, (2) potential direct, adjacency and cumulative effects from introducing bicycle and other very wide and paved (or potentially paved) paths or roads at, along, or within natural preservation areas, (3) impacts to native and non-native trees which were intended to be left in place, whether dead or alive, based on the habitat and character that such woodland would ordinarily provide and naturally benefit from, (4) conservation and preservation activities should be carried out via standards, success criteria, monitoring, reporting, and requirements that are ordinarily used in consultations with state and federal agencies, and (5) failure to use "best efforts" to find alternative parking areas and solutions for JPL parking so that natural resource goals of the Arroyo Seco can better be achieved.

More specifically, with reference to the above numbered list, terms and conditions of the Settlement provide that:

- 1) Areas for equestrian trail purposes shall not be expanded in gross area of usage, whether currently used or planned under the adopted ASMP. Any reasonable interpretation of this provision and restriction certainly can not be read to allow, authorize, or promote creation of a City-owned and promoted project to house, train and provide horses and equestrian facilities in a massive equestrian facility in, along, and now to be made a part of the Hahamongna plan when it was negotiated and agreed in the Settlement to keep additional equestrian uses limited and at a minimum. (Settlement, ¶ 1, p. 2)

Page Three

January 24, 2010

CITY OF PASADENA

Prior Settlement and Hahamongna Watershed Park Amendments

- 2) Specific areas are to be designated "Natural Open Space" within the confines of the map attached as Exhibit A to the Settlement. Most recently, evidence and proposed projects and plan amendments indicate the City is promoting and causing potential direct, adjacent edge-effect, and cumulative adverse impacts from introducing bicycle, equestrian, camping, visitors/educational facilities, including the very wide and paved (or potentially paved) paths or roads at, along, or within natural preservation areas. (Settlement, ¶ 1, p. 2)

- 3) No trees shall be removed from the Upper Arroyo Seco / Hahamongna as provided by the City's tree ordinance and dead or dying trees shall be left in situ for ecological purposes (unless posing an immediate or imminent threat). Clearly, this provision is not *only* limited to covering and protecting removal of specific types or "native" trees under the City's tree ordinance because, most obviously, the City's ordinance mandates removal of dead or dying trees (native or otherwise). The content, types and numerous of both native and non-native trees and woodland form an important piece to the natural mosaic in the Hahamongna and, was promoted and integrated by Sage Council into the Settlement, so that existing species' use and habitat areas would not be disturbed, or otherwise improved with an immediate and obvious net beneficial impact. (Settlement, ¶ 9, pp. 4-5)

- 4) The Settlement contemplated and discussed that land area restoration or rehabilitation, arising from the Settlement or any other source, "shall be carried out in consultation with USFWS or CDFG, and any other appropriate regulatory agency having jurisdiction, and shall be monitored according to the standards specified by such appropriate regulatory agencies." In its intended and broad "plain language," this means that habitat restoration and preservation should be done according to recognized federal and/or state agency standards and shall have the input of USFWS or CDFG (at a minimum), with other agencies to be included as required. Without this provision, all restoration efforts would otherwise just be done as City wanted by independently deciding *what was enough*. Even in the most limited and narrow sense, based on the presence of floodway zone, wetlands, critical species habitat, and sensitive natural floral community habitats in the subject Hahamongna areas (as indicated in one or more private, City, or other agency project studies conducted over time), any activity constructing, degrading, rehabilitating, improving, or mitigating impacts in the Hahamongna fall under the requirements of this provision. (Settlement, ¶¶ 6-7, 10, pp. 3-4, 5) See further discussion in item No. 6 below regarding how mere compliance a specific regulatory permit was *only* what was required by the Settlement regarding conservation, rehabilitation, and mitigation. Rather, certain reasonably accepted scientific and regulatory standards had to be used for all rehabilitation and preservation efforts.

Page Four

January 24, 2010

CITY OF PASADENA

Prior Settlement and Hahamongna Watershed Park Amendments

- 5) The City has been required to employ “best efforts” to find alternative parking areas and solutions for JPL parking so that natural resource goals of the Arroyo Seco can better be achieved. With each every step of the City’s implementation and amendments of the Hahamongna plan (including acquisition of the Annex and other ancillary project decisions), the JPL parking lot is becoming more entrenched as a permanent and limited factor for design, planning and use of natural areas (e.g., trail placement, access locations, and other park features and uses, etc.). (Settlement, ¶ 5, p. 3)

- 6) The City’s argument in its November 19, 2009 correspondence suggesting that Sage Council cannot sue to enforce the terms of the Settlement, as presented or arising from the City’s approval or implementation of any other project, or the ASMP itself, has no merit. This argument suggests both that (1) all the City had to do was comply with existing laws (only if a permit was obtained), and (2) Sage Council has no remedy for breaches of the Settlement. If such were the case, the agreement would be wholly *illusory* (meaning no one really had to do anything because it could never be, and would never be, enforceable) flies in the case of both California law and the Settlement itself. (California Civil Code § 1605 [definition of “consideration” must be more than what is already obligated and required under the law, and must be a consequence that the promisor is obligated to suffer]; Settlement, ¶ 4, p. 7 [“Sage Council’s rights....if necessary [to] litigate projects not included in the ASMP”].)

Overall, the City’s narrow and self-serving presentation of the parties’ rights and obligations in its November 19, 2009 correspondence is irreconcilable in most respects. As a result, one of more breaches of the Settlement (and further enforceability thereof) or a new and separate lawsuit on a non-ASMP project, are both available to Sage Council.

This office recommends an immediate ceasing of all ASMP approvals and amendments, including the proposed and pending Feb, 1, 2010 Project, until these differences can be resolved. My client is willing to meet with City officials to discuss a comprehensive approach to resolving any of the above and below listed issues, as maybe futher supplemented prior to or at the February 1,2010 hearing on the Project.

Page Five

January 24, 2010

CITY OF PASADENA

Prior Settlement and Hahamongna Watershed Park Amendments

Pending, Proposed, Past or other Conflicts or Breaches of the Settlement

After review of an array of occurrences (or non-occurrences), Sage Council has determined the below detailed list to be potentially in violation of the Settlement, and which include, but are not limited to:

1. The Frisbee golf course has not been relocated as indicated on Exhibit B of the Settlement, nor has the oak woodland been restored where much of the Frisbee golf course is now located.
2. If the City has been working to assist JPL to find an alternative parking solution outside of the Arroyo Seco as required by the Settlement, Sage Council is aware of no public disclosure of this in any document, plan, proposal, or other correspondence whatsoever. It has been almost six years since the Settlement and Sage Council can only surmise that such "best efforts" of the City' plan to assist JPL in finding alternative parking do not exist.
3. According to the Settlement, dead trees are to remain in situ. The City has removed at least two cottonwoods and two alder trees near Johnson Field. These were replaced with five sycamores, four of which have died. Sage Council has also been made aware that at least two dead oaks trees have been removed.
4. A chain link fence has been installed around a grove of oaks on the south side of the JPL east parking lot. This measure, intended to protect the habitat, has had the opposite effect and is neither *preservation of a natural area*, nor "best effort" to move or get rid of the JPL parking.
5. The natural preservation areas in the Arroyo Seco and Hahamongna have not been posted as required by the Settlement. This includes both signage indicating the nature preserve areas and signage that "dogs must be on a leash."
6. The City has not rehabilitated the perimeter of Johnson Field.
7. Sage Council was not notified concerning the Sunset Overlook project as was required by the Settlement nor did the City consult with either (or both) the USFWS and/or CDFG.

8. The Annex plan proposes a paved bikeway on the Annex which would lead to a paved bikeway which would be built through designated natural preservation land area. The Settlement is clear that the definition of natural preservation areas is that in Pasadena Municipal Code Sections 3.32.100 and Section 3.32.120. According to the ordinance, trails and roads shall not be paved in natural preservation areas.
9. Exhibit A of the Settlement also shows that there is no paved bikeway which has been agreed upon through the park's natural preservation area. All the other park features, not in the natural areas such as the spreading basins, roads, flood control basin, are indicated on Exhibit A, but not the bikeway.
10. While the Hahamongna/ASMP lists three (3) trail overlooks (the Dam Observation Trail, Sunrise Overlook (E-11), and Sunset Overlook (E-12) (HMP p. 3-55), the Settlement delineates the term that only the Dam Observation Trail would be developed, and other visitors congregation centers or areas would be removed. (Settlement, ¶ 8, p. 4) Now, with proposed widespread development of the Annex, as well as indication the city is moving forward with the Sunset Overlook, the benefits sought and impacts agreed to be eliminated or reduced by the Settlement appear materially conflicted.
11. The City has failed to keep the Sage Council informed as required by the Settlement.

Two important concepts must be reiterated to the City's regarding implementation of the ASMP through its prior adopted MEIR. First, the terms of the Settlement only pertained to projects being performed and implemented under the then current ASMP. (Settlement, ¶ 3, p. 7) As long as those original ASMP projects complied with state, federal and local environmental permit compliance rules, Sage Council agreed to not file any lawsuits or litigation. This was not true for any amendments, addendums, environmental reviews and approvals for new or different ASMP or Hahamongna projects. This agreement *not to litigate* would also apply to violations of terms of the Settlement. Thus, the Settlement clearly and reasonably contemplates that the City might be subject to further objection and legal challenge. Second, the laws and policies under CEQA hold that master EIRs are only effective and valid for 5 years, specific findings need to be made if a master EIR is used beyond that period, and master EIRs can only be used and are applicable for projects that were contained within the scope of the original master EIR. Adding new and previously non-existent projects cannot legally or practically be considered as being within the scope of the original master EIR.

Page Seven

January 24, 2010

CITY OF PASADENA

Prior Settlement and Hahamongna Watershed Park Amendments

New and Previously Unidentified and non-Existent ASMP Projects Require New Full Environmental Review

In the case of the new and previously unanticipated Annex area (and developments therein) and e.g., some new or heightened use of parking lot and trail configurations, these projects and impacts clearly fall outside the scope of the ASMP MEIR and thus new and separate environmental review, findings, and mitigation must be conducted for these new projects. When conducting such CEQA reviews via cursory initial studies and negative declarations, the “fair argument” standard and any potential significant effect must be disclosed and fully mitigated, and the City’s failure to do so will be overturned by a Superior or Appellate court.

While this letter is not intended to address all of the potential significant effects that *may arise* from approval or implementation of the Annex developments, a cursory review does show significant cutting and loss of oak trees and woodland for new construction or buildings - even though the City purports to “move” or relocate such oak woodland into new or previously dedicated conservation areas. Also, the edge and adjacency effects arising from such highly developed use areas, which will bring in many thousands of new park users and equestrian influences, must be considered. More details on specific potential impacts arising from the proposed Annex developments and Project are anticipated to be made later, or have already been made, thus better elucidating and bringing such potential impacts and conflicts to the attention of the City as part of the public CEQA process.

Final Remarks

Sage Council also incorporates by reference all of its prior comments presented to the City, including verbal comments that may be presented to the City on February 1, 2010, and other comments made by other interested persons, groups and members of the community which are consistent with Sage Council’s concerns.

In advance, my client thanks the City for considering the issues presented in this comment letter. Should you have any questions concerning any of the points raised herein, please do not hesitate to contact this office.

Page Eight

January 24, 2010

CITY OF PASADENA

Prior Settlement and Hahamongna Watershed Park Amendments

Lastly, on behalf of Sage Council, please notify this office of any administrative or legislative hearings, circulation of documents, or any other action or hearing related to the above Project or future ASMP or Annex projects, pursuant to Public Resources Code § 21092.2.

Sincerely,



Craig A. Sherman

cc: client

Ms. Theresa E. Fuentes, Esq., Assistant City Attorney (via fax: 626-744-4190)

Ms. Rosa Laveaga (via email rlaveaga@cityofpasadena.net)

MK

From: mariettaemail@aol.com
Sent: Friday, January 08, 2010 3:16 PM
To: Laveaga, Rosa
Subject: public comment HWP annex

1/8/2010

City of Pasadena
Parks & natural resources
100 N Garfield Ave Rm 212
Pasadena CA 91109

Re: HWPMP Addendum for Hahamongna Annex

I have many concerns regarding the addendum for Hahamongna Annex.

MK
1

The first is the lack of a full CEQA process. Although the City has tried to minimize the impacts of this project, the impacts are clearly significant and, therefore, require a CEQA process. The second is the plan to enlarge the trail on the north side of the annex possibly to a paved bike path and horse/hike trail or a paved bike path alone and relocation of the horse hike trail. Three is the removal of an unnecessarily large number of trees, some non native.

MK
2

With the major changes proposed on this annex site, there will be significant environmental stresses which have not been adequately addressed nor mitigated. Although the paperwork suggests that all was accomplished sufficiently within the original Master Plan process. This is simply not the case. Within the Addendum proposal, the portrayal of the paved bike path leads one to believe that it is the continuation of an existing path but it is not. It has never been started. Further the Spirit of the Sage Agreement prevents a paved road or trail and in addition prevents any new trails or roads within the protected area as defined within the agreement. And, even beyond the obvious impossibility of a built out paved bike path in these areas, the HWPMP clearly states that the paved bike path is to link to existing park roads not new roads or trails. The HWPMP as approved contains a hiking equestrian trail at the north end of the annex. Also, this equestrian trail is labeled as historic use and existing condition, Exhibit 2-12 (pages 2-52 & 53), to alter this by changing the use by extremely widening it and then paving the bulk of it is an extreme alteration of the HWPMP and its EIR. As is the new introduction of a complete loop of road bikes on a paved surface that as per the Spirit of the Sage Agreement, can't proceed further east of the annex.

MK
3

The perimeter Trail as per the HWPMP (exhibit 3-8 pg 3-44) calls for a minimum elevation of 1045' and is to be all weather permeable (page 3-42 & 43 & 45 Exhibit 12). It is clear under captions "West Rim Trail and Connectors" (HWPMP) and "Trail connections from West Rim Trail to basin perimeter trail" were never envisioned to contain a paved bike path or road. These sections never included the proposed paved bike path on the north end of the annex. And, there is further no mention of a bike route extension on E-15 exhibit 3-9.

Once again, I will reiterate that Exhibit 3-2 Annex Plan Use Areas depicts recreational bike path which currently does not exist at all at the annex nor further east of the annex, as taking the currently existing equestrian hiking trail (e-4) footprint and then depicts the equestrian hiking trail as traveling further south. This mapping does not occur in the HWPMP. Exhibit 2-7 Exist. Mobility HWP Addendum incorrectly depicts bike path as existing when the northern portion from the annex to the east of HWP has never been built and yet it is depicting it as an overlay to the existing equestrian hiking trail along the eastside of JPL's west parking lot. This is incorrect.

MK
4

Exhibit 3.7 Mobility, 3-17 and Exhibit 3-4 universally accessible connection to site transit. This seems impossible as per layout considering land slope and other issues and then it links to a horse trail and crosses a road each of which creates difficult if not impossible parameters to overcome. Maybe, a better location would be a transit center located at the northeast corner of the L A co Fire area and the universally accessible connection from there would be the trail along the east side of the fire camp which has little or no slope to contend with. A better path exists and most likely would be found through a ceqa process.

MK
5

The annex addendum then goes on with the need for a safe crossing for bikes in front of the forestry buildings. Why is

MK 5 this necessary when at that point the bike path would have joined the road and the bikers would follow the same traffic rules. Also, HWPMP page 3-47 states bikes not allowed on JPL bridge or any unpaved trail or road.

MK 6 Further, with the desire to achieve more ADA accessibility, the HWPMP page 3-69 states the Majority of the bike route will be ADA accessible. What is the necessity of making any bike path "bikes only" when clearly it is the perfect surface for ADA access and pedestrian travel as well?

MK 7 In general, #1 Environmental Education Center with conference center and #4 park offices, maintenance facilities and infrastructure and the relocation of the horse hike trail, the paved bike and excessive tree removal are in direct conflict with the environmental determination that concluded the HWP Addendum would not result in additional significant effects or the need for new additional mitigation measures or alternatives not addressed in the ASMP EIR.

MK 8 The city claims that all feasible and appropriate mitigation measures and alternatives set forth in the EIR have been applied or made conditions of approval. Then further asserts that no "substantial changes" have occurred and there is no "new" information since the ASMEIR was certified. All of this leads the city to the incorrect position that none of the limitations on the use of a master EIR have been exceeded pursuant to PRC 21157 and CEQA Guideline 15179. There is no way that this conclusion is correct. It fails on many levels. It does not sufficiently address:

- The Station Fire
- The effects of the major changes due to the paved bike road and relocated equestrian hiking trail
- The 2004 Spirit of the Sage Agreement

All of these occurred after the HWPMP and its EIR and are significant enough to call for a full CEQA process.

Finally, The City's decision to ignore the terms of the Spirit of the Sage Agreement amazes me. As part of my public input, I would like to include a full copy of this agreement along with its exhibits as a record of its existence and its impacts on the HWP and the Annex.

Please respond to my concerns.

Sincerely,

MARIETTA KRUELLS
835 W Mariposa St
Altadena CA 91001

From: mariettaemail@aol.com
Sent: Tuesday, January 12, 2010 1:23 PM
To: Laveaga, Rosa
Subject: Re: public comment HWP annex
Rosa,

Thanks for including all of my emails, including a copy of the Spirit of the Sage Agreement, as part of the public comment.

Marietta

-----Original Message-----

From: Laveaga, Rosa <rlaveaga@cityofpasadena.net>
To: mariettaemail@aol.com
Sent: Tue, Jan 12, 2010 6:06 am
Subject: RE: public comment HWP annex

Marietta,

I really apologize for the problem you had in delivering your package. Yes, that room number is a left over from before they remodeled city hall and regret that in our review of that notice, it slipped by....so sorry. The hand deliveries I have been getting have been per what is at the bottom of that notice, and as listed below.....to my office on Mountain Ave.

For additional information contact: Rosa Laveaga, (626) 744-3883. Likewise, all written correspondence regarding this matter should be sent to Ms. Laveaga at the following addresses:
• U.S. Mail: City of Pasadena, Public Works - Parks and Natural Resources, P.O. Box 7115 Pasadena, CA 91109-7215
• Delivery: City Yards, 233 W. Mountain Avenue, Pasadena, CA 91103
• Electronic Mail: rlaveaga@cityofpasadena.net

I am in receipt of what you dropped off at the Public Works reception desk, and I will include what you e-mailed below with what you personally dropped off, so that all is considered one package with your comments on the documents. The City will be responding to the comments submitted. Thank you for your comments and again, I sincerely apologize for the inconvenience that was created for you, by listing our old Public Works Dept. address.

Rosa

From: mariettaemail@aol.com [<mailto:mariettaemail@aol.com>]
Sent: Mon 1/11/2010 3:03 PM
To: Laveaga, Rosa
Subject: Re: public comment HWP annex

Rosa,

I was more than a little confused on Friday afternoon. The notice of public comment clearly gave the address of 100 N. Garfield #212. I arrived a little before 4PM and then chased around looking for this room number. Information could not help, nor could the payment department nor city councils' office which directed me to Human Resources. There, after much time, I was sent to Public Resources room 306. The lady there had no idea about the Annex or public comment on it. Luckily, she phoned you. I still have no idea whether or not the written comments that I delivered ever made it to their proper destination.

I had planned on adding the following comments but, after running around looking for the right room, I decided to email it instead. I would like you to add the following to the public comments that I sent on Friday, Jan. 8, 2010.

After reviewing the HWPMP, I found the need for a paved bike path on the North end of the Annex to be overstated and unnecessary. The suggestion that there is a need for a paved bike path for JPL commuters is ridiculous. First off, a paved path at that location would only take JPL commuters out of their way and it would bar pedestrian travel completely. JPL commuters already have sufficient access by car, foot and bike. On the east side, their access is on the JPL bridge and then by paved road all the way out to Ventura/Windsor. And, further the current traffic pattern for JPL cars must remain the same, regardless of where they park. On the west side, Oak Grove is a huge street and also can accommodate all 3 users. What purpose would be served

MK
9

MK
10

by a paved bike path on the north edge of the annex? Pedestrians and bicyclists who currently might access this point from JPL are most likely parking their cars in Oak Grove Park. The City does not allow this which negates any need JPL commuters might have.

AK
10 Pedestrians, if they wanted to access this area, can but why would they want to. In light of the proposed bike only paved path, especially, with the removal and relocation of the horse hiking path, pedestrians would be prevented from using the paved path. Either way though, JPL commuting pedestrians traveling west would have to continue a circuitous route south and then have to double back to Foothill and Oak Grove. This intersection is a short direct shot from JPL's existing west entrance. Traveling east, pedestrians would meet a similar circumstance. They would have to head further south through the annex (since they would be blocked from using the paved path), then travel east to the perimeter road, follow it north to the new bridge just south of JPL's existing bridge, and exit at Windsor/Ventura. This is the same location the JPL bridge takes them. Only the JPL bridge route is shorter and faster. Why would a JPL pedestrian commuter take this route only to wander around on a longer path eventually ending up in the same location they would have taken the 2 existing routes? They wouldn't and they won't. Just a thought, Oak Grove is wide enough between the JPL entrance and Foothill to accommodate a separate bike path on the east side where it won't interfere with Flintridge Riding Club's entrance.

JPL employees commuting by bicycle would experience nearly the same thing as commuting pedestrians. Once arriving at the middle of the proposed paved bike only path, either an east route or west route will take commuters out of their way and will not provide better access than they now enjoy. Bikes, like pedestrian and automobile commuters to JPL have sufficient access on both the east and west side. This new path would create a circuitous route for bikes heading west and would result in, most likely, a longer route easterly as well. Both east and west bikers would end up at the same locations had they just used the current access that is now available.

So one might ask, what is to gain by creating this paved bike only path? Considering the costs of engineering, construction, environmental damage (with its necessary mitigation), and the relocation of the existing historic horse hike path and its engineering construction, environmental damage, etc, why would the City want to take this step? I can only think that there are construction grants (federal or state) for paved "commuter" bike paths. If this is the case, this is a very poor decision for the taxpayers. There is no need for a "commuter" bike only path for JPL and the need for this is being totally made up. It would be disingenuous of the City of Pasadena to continue with the paved bike path proposal.

And, when the HWPMP clearly calls out for ADA accessibility, why would any paved path not be available for this purpose? I can't imagine anyone saying that this path could not be completed to allow for this access.

AK
11 Finally, as stated in my previous comments, the Spirit of the Sage Agreement prevents pavement within a "protected" area which is in pink shading on the exhibit contained in that agreement. This protected area explicitly blocks trails and roads in this pink area from being paved. The paved bike path proposed in the 2003 HWPMP has thus been circumvented by the 2004 Spirit of the Sage Agreement and, therefore, cannot be paved. It makes no sense, under these circumstances, for the City to pave the 800 feet at the north end of the annex as a bike path when it will not legally continue past the northeast corner of the annex. I am attaching the Agreement to this email. I did deliver it on Friday but I am afraid it might have been misplaced due to the incorrect room number contained on the public comment announcement.

AK
12 It is clear that many of these things have not been sufficiently thought out and that, considering serious environmental damage may occur, a full CEQA process is necessary. There are other options, including leaving well enough alone, that have not been explored and that may come out during the CEQA process. Completion of the proposed paved bike path (in the HWPMP) stated that this path leads to existing roads. It does not. The proposed paved bike path in the annex area has never been studied as part of the HWPMP. It is new and therefore demands a full CEQA process. It is a major change.

Please include all of this information in the public comment for the HWP Annex and I would like a response to this. Also, please let me know that this will be included.

Thank you.

Marietta Kruells
835 W Mariposa St
Altadena CA 91001

-----Original Message-----

From: Laveaga, Rosa <rlaveaga@cityofpasadena.net>

To: mariettaemail@aol.com

Sent: Fri, Jan 8, 2010 3:38 pm

Subject: RE: public comment HWP annex

Thanks Marietta!

Rosa Laveaga

Landscape Architect No. 3494

Arroyo Seco Project Supervisor

Department of Public Works - Parks & Natural Resources Division

City of Pasadena

office: 626.744.3883

fax: 626.744.3932

From: mariettaemail@aol.com [<mailto:mariettaemail@aol.com>]

Sent: Friday, January 08, 2010 3:16 PM

To: Laveaga, Rosa

Subject: public comment HWP annex

1/8/2010

City of Pasadena
Parks & natural resources
100 N Garfield Ave Rm 212
Pasadena CA 91109

Re: HWPMP Addendum for Hahamongna Annex

I have many concerns regarding the addendum for Hahamongna Annex.

The first is the lack of a full CEQA process. Although the City has tried to minimize the impacts of this project, the impacts are clearly significant and, therefore, require a CEQA process. The second is the plan to enlarge the trail on the north side of the annex possibly to a paved bike path and horse/hike trail or a paved bike path alone and relocation of the horse hike trail. Three is the removal of an unnecessarily large number of trees, some non native.

With the major changes proposed on this annex site, there will be significant environmental stresses which have not been adequately addressed nor mitigated. Although the paperwork suggests that all was accomplished sufficiently within the original Master Plan process. This is simply not the case. Within the Addendum proposal, the portrayal of the paved bike path leads one to believe that it is the continuation of an existing path but it is not. It has never been started. Further the Spirit of the Sage Agreement prevents a paved road or trail and in addition prevents any new trails or roads within the protected area as defined within the agreement. And, even beyond the obvious impossibility of a built out

FOH

CHATTEN-BROWN & CARSTENS

TELEPHONE: (310) 314-8040
FACSIMILE: (310) 314-8050

2601 OCEAN PARK BOULEVARD
SUITE 205
SANTA MONICA, CALIFORNIA 90405
www.cbcearthlaw.com

E-MAIL:
ACM@CBCEARTH.LAW.COM

January 8, 2010

Via Hand Delivery

Ms. Rosa Laveaga
City of Pasadena Department of Public Works
Parks and Natural Resources Division
P.O. Box 7115 Pasadena, CA 91109-7215

Re: Comments on Draft Hahamongna Watershed Park Master Plan Addendum
for Hahamongna Annex and Draft Initial Study

Dear Ms. Laveaga,

FOH
a1

Attached please find comments by the Friends of Hahamongna (FOH) regarding the draft Hahamongna Watershed Park Master Plan Addendum for the Hahamongna Annex (Annex Plan) and draft Initial Study for the Annex Plan. FOH have been advised by Chatten-Brown & Carstens regarding the legal arguments contained in these comments, in particular regarding the requirements of the California Environmental Quality Act. FOH's focus in providing these comments is to ensure the Annex Plan furthers the community supported goal of maintaining the Annex (and Hahamongna Watershed Park as a whole) for low intensity uses.

FOH
a2

As proposed, the Annex Plan includes approximately 90 new projects, with specific details on these projects and their locations on the Annex property. While the Annex Plan commits the City to a specific list of projects for the Annex property, the Initial Study fails to analyze the numerous adverse environmental impacts these projects would have. City staff has informed FOH that the impacts of individual projects listed in the Annex Plan would be studied when implementation of each project is approved. However, the Annex Plan also proposes the approval of a master conditional use permit, which would ostensibly serve as the last approval needed for each project, thus eliminating the potential for future review of the environmental impacts associated with the projects listed in the Annex Plan.

FOH
a3

Aesthetic, biological, air quality, recreation, and safety impacts would result from proposed Annex projects due to the removal of 70 mature non-native shade trees and extensive grading, paving, and structure relocation. These impacts must be analyzed now in a full environmental impact report so that proper mitigation and less impactful alternatives can be included in the Annex Plan. The Initial Study cannot rely on the

FOH a3 Master EIR prepared for projects in other areas of the Hahamongna Watershed Park as the analysis for new projects proposed for the Annex property.

FOH a4 One of the most controversial aspects of the Annex Plan is the bikeway proposed for the Annex property, intended to connect bikeways in the park to the south of the Annex with bikeways to the north. The Initial Study recommends a bikeway and separated hiking/equestrian trail at the north side of the Annex property, which would require the removal of numerous mature shade trees and the costly relocation of portions of the equestrian center currently located on the Annex. The Initial Study also recommends that any bikeway in the Annex be for the exclusive use of bicyclists, which is a change from the normal shared use of such paths with pedestrians. FOH have provided the City with several alternative alignments for the bikeway and the trails that would limit the number of trees that need to be removed and the amount of relocation that would be required, but the Initial Study rejects these alternatives based upon flawed assessment of these alignments.

FOH a5 Additionally, the proposed bikeway may not be able to continue to the north beyond the Annex property due to the restrictions contained in the Spirit of the Sage settlement agreement and the inability to use the JPL bridge for the path. Thus, FOH believes the bikeway should not be included in the Annex Plan as a connection between the north and south bikeways until it is clear there will be a north bikeway for it to connect with.

FOH a6 The Initial Study also conflicts with the clear recommendation by both the Planning Commission and the Hahamongna Watershed Park Advisory Committees to retain as many existing mature trees as possible, regardless of species, when it proposes to remove all non-native trees on the Annex property, with the eventual replacement of such trees with native species. The removal of these mature trees would degrade the visual quality of the Annex and would impact wildlife, in particular the many migratory birds and species of special concern that were impacted by the Station Fire. Additionally, any replacement trees would likely be much smaller and require watering until they become established, unlike the existing trees.

FOH a7 The Annex Plan and Initial Study also contain numerous factual errors, inaccuracies and inconsistencies, in particular with regard to the existing conditions at the Annex; these errors need to be corrected so that impacts can accurately be assessed. FOH further requests that the portion of the Annex zoned "Planned Development" be rezoned with the more appropriate designation of "Open Space."

FOH a8 Thank you for the opportunity to comment upon the Hahamongna Annex Plan.

Rosa Laveaga
January 8, 2010
Page 3 of 3

Feel free to contact me if you have any questions

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Minter". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Amy Minter
Attorney at Law

cc: Pasadena City Council

Enclosure: Friends of Hahamongna Comments and Concerns Re Hahamongna
Watershed Park Master Plan Addendum and Draft Initial Study